

TOWN OF DAVIE TOWN COUNCIL AGENDA REPORT

TO: Mayor and Councilmembers

FROM/PHONE: Mark Kutney, AICP
(954) 797-1101

SUBJECT: Ordinance
ZB 3-1-01 MAF Realty, 6101 Orange Drive/Generally located at the
northwest corner of Orange Drive and SW 61 Avenue.

TITLE OF AGENDA ITEM:

AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, CHANGING THE CLASSIFICATION OF CERTAIN LANDS WITHIN THE TOWN OF DAVIE FROM RM-10, MEDIUM DENSITY DWELLING DISTRICT, TO B-2, COMMUNITY BUSINESS DISTRICT, WESTERN THEME OVERLAY, OF THE TOWN OF DAVIE CODE; AMENDING THE TOWN ZONING MAP TO COMPLY THEREWITH; AND AMENDING THE CORRESPONDING LEGAL DESCRIPTION OF THE WESTERN THEME DISTRICT BOUNDARIES CONTAINED IN LAND DEVELOPMENT CODE SECTION 12-386, ENTITLED "BOUNDARIES"; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

REPORT IN BRIEF:

The applicant is proposing to rezone the subject site from RM-10, Medium Density Dwelling District to B-2, Community Business District, Western Theme Overlay, in order to provide for consistent zoning designation of the south portion of the property, currently zoned B-2, Western Theme Overlay, and the north 0.37 acres, currently zoned RM-10 and not located within the Western Theme Overlay. The approval of this rezoning will amend the Western Theme District boundary to include this 0.37 acre piece.

PREVIOUS ACTIONS: Town Council approved the request on its merits at the May 2, 2001 meeting (motion carried 5-0).

CONCURRENCES: The Planning and Zoning Board recommended approval of the request at its April 25, 2001 meeting. Mr. Davis made a motion, seconded by Ms. Moore, to approve. (Motion carried 5-0)

FISCAL IMPACT: None

RECOMMENDATION(S): Motion to approve

Attachment(s): Ordinance, Legal Description, Land Use Map, Subject Site Map, Aerial.

ORDINANCE _____

AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, CHANGING THE CLASSIFICATION OF CERTAIN LANDS WITHIN THE TOWN OF DAVIE FROM RM-10, MEDIUM DENSITY DWELLING DISTRICT, TO B-2, COMMUNITY BUSINESS DISTRICT, WESTERN THEME OVERLAY, OF THE TOWN OF DAVIE CODE; AMENDING THE TOWN ZONING MAP TO COMPLY THEREWITH; AND AMENDING THE CORRESPONDING LEGAL DESCRIPTION OF THE WESTERN THEME DISTRICT BOUNDARIES CONTAINED IN LAND DEVELOPMENT CODE SECTION 12-386, ENTITLED "BOUNDARIES"; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town Council of the Town of Davie authorized the publication of a notice of a public hearing as required by law, that the classification of certain lands within the Town be changed from RM-10, Medium Density Dwelling District, to B-2, Community Business District; Western Theme Overlay;

WHEREAS, said notice was given and publication made as required by law, and a public hearing thereunder was held on the date of the adoption of this ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE FLORIDA:

SECTION 1. That the property herein after described be and the same is hereby rezoned and changed from RM-10, Medium Density Dwelling District, to B-2, Community Business District:

a. The subject property is described in Exhibit "A", which is attached hereto and made a part hereof.

SECTION 2. That Section 12-386, "Boundaries," of the Town Code is hereby amended as follows:

The Western Theme District shall be composed of an area including all that portion of land lying with the area described as follows:

Beginning at the point of intersection of the centerline of Davie Road (SW 64th Avenue) and the north line of section 26, township 50 south, range 40 east; thence easterly to a point of intersection with the westerly boundary of lot 579 of the recorded plat of Playland Village section 4; thence southwesterly and southerly along the westerly boundaries of lots 579 thru [through] 564 of Playland Village section 4, extended southerly to a point of intersection with the southerly right-of-way of SW 38th Court, this point also being described as the northwest corner of lot 1 of the recorded plat of Playland Village section 1; thence continue southerly along

the westerly boundaries of lots 1 through 4 of the recorded plat of Playground Village section 1 of the southwest corner of said lot 4, also described as the point of intersection with the northerly boundary of lot 8 block 1 of the recorded plat of Everglades Park; thence easterly along the northern boundary of said lot 8, block 1 to the northeast corner of said lot 8, block 1, thence southerly along the easterly boundary of lot 8, block 1, of the recorded plat of Everglades Park extended southerly to a point of intersection with the centerline of SW 39th Court; thence westerly along the centerline of SW 39th Court to a point of intersection with the northerly extension of the easterly boundary of lot 7, block 2 of the recorded plat of Everglades Park, thence southerly along the northerly extension of the easterly boundary of southeast corner of said lot; thence westerly along the southerly boundary of lot 7, block 2 of the recorded plat of Everglades Park to the northeast corner of lot 3 of the recorded plat of Strong Park; thence southerly along the easterly boundary of said lot 3 extended to a point of intersection with the centerline of SW 41st Street; thence easterly along the centerline of SW 41st Street to a point of intersection with the northerly extension of the easterly boundary of lot 23 of the recorded plat of Strong Park; thence southerly along the northerly extension of said lot 23 to the southeast corner of said lot; thence westerly along the southerly boundary of lot 23 of the recorded plat of Strong Park to a point of intersection with the northeast corner of lot 2 of the recorded plat of White Park; thence southerly along the easterly boundaries of lot 2, extended southerly, and lot 20 of the recorded plat of Strong Park to a point of intersection with the southeast corner of said lot 20, said point also described as the northwest corner of lot 14, block 2 of the recorded plat of Davie Park; thence easterly along the northerly boundary of said lot 14 to the northeast corner of said lot 14, block 2; thence southerly along the easterly boundary of lot 14, block 2 of the recorded plat of Davie Park extended southerly to a point of intersection with the southerly right-of-way of SW 41st Court; thence easterly along the southerly right-of-way of SW 41 Court to a point of intersection with the northeast corner of lot 13, block 1 of the recorded plat of Davie Park; thence southerly along the easterly boundary of lot 13, block 1 of the recorded plat of Davie Park to the southeast corner of said lot; thence westerly along the southerly boundaries of lots 13 and 14, block 1 of the recorded plat of Davie Park to a point of intersection with the northerly extension of the centerline of SW 63rd Avenue; thence southerly along the centerline of SW 63rd Avenue to a point of intersection with the centerline of SW 43rd Street, thence easterly along the centerline of SW 43rd Street to a point of intersection with the northerly extension of the westerly boundary of lot 1, block 1 of the recorded plat of 1st Addition to Davie; thence southerly along the northerly extension of the

westerly boundary of lots 1 and 2, block 1 of the recorded plat of 1st Addition to Davie to the southwest corner of said lot 2, block 1; thence easterly along the southerly boundary of lot 2, block 1 of the recorded plat of 1st Addition to Davie extended easterly to a point of intersection with the centerline of SW 62nd Avenue; thence southerly along the centerline of SW 62nd Avenue to a point of intersection with the westerly extension of the southerly boundary of lot 1, block 5 of the recorded plat of Davie Heights; thence easterly along the southerly boundaries of lots 1 through 5, block 5 of the recorded plat of Davie Heights to the southeast corner of said lot 5, block 5, this point also being described as the point of intersection with the westerly boundary of lot 16 of the recorded plat of Davie Heights Extension; thence southerly along the westerly boundary of lot 16 of the recorded plat of Davie Heights Extension to the southwest corner of said lot 16; thence easterly along the southerly boundaries of lots 15 and 16 of the recorded plat of Davie Heights Extension to the southeast corner of said lot 15, this point also described as the point of intersection with the westerly boundary of lot 12 of the recorded plat of Durden Subdivision; thence ~~southerly~~ northerly along the westerly boundary of lot 12 of the recorded plat of Durden Subdivision to the ~~southwest~~ northwest corner of said lot 12; thence ~~easterly~~ northerly along the ~~southerly~~ westerly boundary of lot ~~12~~ 11 for a distance of 20 feet; thence easterly along a line 20 feet north of and parallel with the south line of lot 11 of the recorded plat of Durden Subdivision to a point of intersection with the westerly right-of-way of SW 61st Avenue; thence southerly along the westerly right-of-way of SW 61st Avenue to the point of intersection with the north line of the C-11 Canal right-of-way; thence westerly to a point of intersection with a northerly extension of the westerly boundary of Tract 51; thence northerly along the extension of the westerly boundary of Tract 51, and the westerly boundary of Tract 46 to the northwest corner of said Tract 46, this point also described as northeast corner of Tract 45; thence westerly along the northerly boundary of Tract 46 to the northwest corner of said Tract 45; thence northerly 165 feet along the westerly boundary of Tract 1; thence easterly 900 feet along a line 165 feet north of and parallel to the south line of Tract 1, thence northerly along a line 900 feet east of and parallel to the westerly boundary of Tract 1 to a point of intersection with the centerline of SW 41st Street; thence easterly 100 feet along the centerline of SW 41st Street; thence northerly along a line 320 feet west of and parallel to the westerly right-of-way of Davie Road (SW 64th Avenue) to a point of intersection with the south line of Tract 4; thence westerly 575 feet along the south line of Tract 4, said point also being described as the southwest corner of lot 1 of the recorded plat of Davie 39th Street plat; thence northerly along the westerly boundary of lot 1 of the recorded plat of Davie 39th

Street plat to a point of intersection with the southerly right-of-way of SW 39th Street; thence easterly along the southerly right-of-way of SW 39th Street extended to a point of intersection with the centerline of Davie Road (SW 64th Avenue); thence northerly and northeasterly along the centerline of Davie Road (SW 64th Avenue) to point of intersection with the north line of section 26, township 50 south, range 40 east, said point also being the point of beginning.

SECTION 3. That the zoning map heretofore adopted by the Town Council be and the same is hereby amended to show the property described in Section 1, herein, as B-2, Community Business District.

SECTION 4. All Ordinances or parts of Ordinances in conflict herewith are to the extent of such conflict hereby repealed.

SECTION 5. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is, for any reason, held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portion of this Ordinance.

SECTION 6. This Ordinance shall take effect immediately upon its passage and adoption.

PASSED ON FIRST READING THIS _____ DAY OF _____, 2001.

PASSED ON SECOND READING THIS _____ DAY OF _____, 2001.

ATTEST:

MAYOR/COUNCILMEMBER

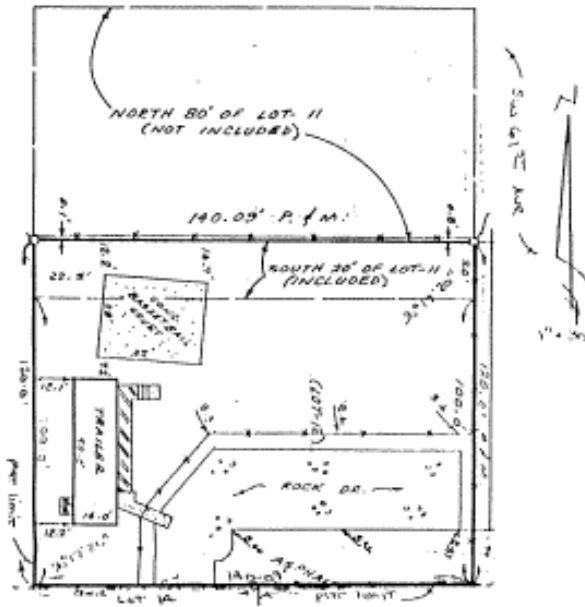
TOWN CLERK

APPROVED THIS _____ DAY OF _____, 2001.

Sketch & Description

This is not a sketch of survey. It is only the graphic representation of the description depicted herein.

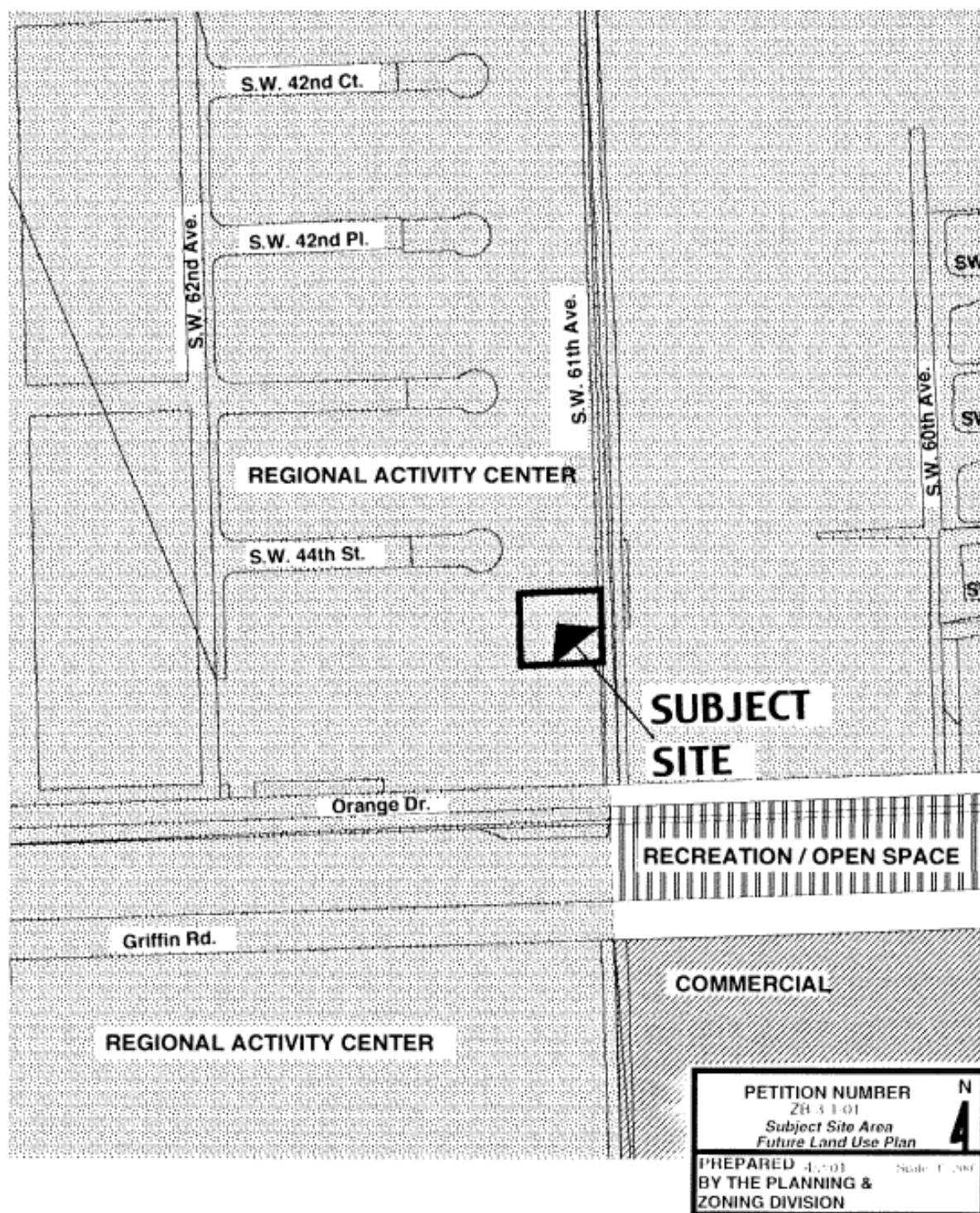
Lot 12 together with the south 20.00' feet of lot 11 according to the plat of "Darden Subdivision" as recorded in plat book 25 at page 9 of the public records of Broward County, Florida



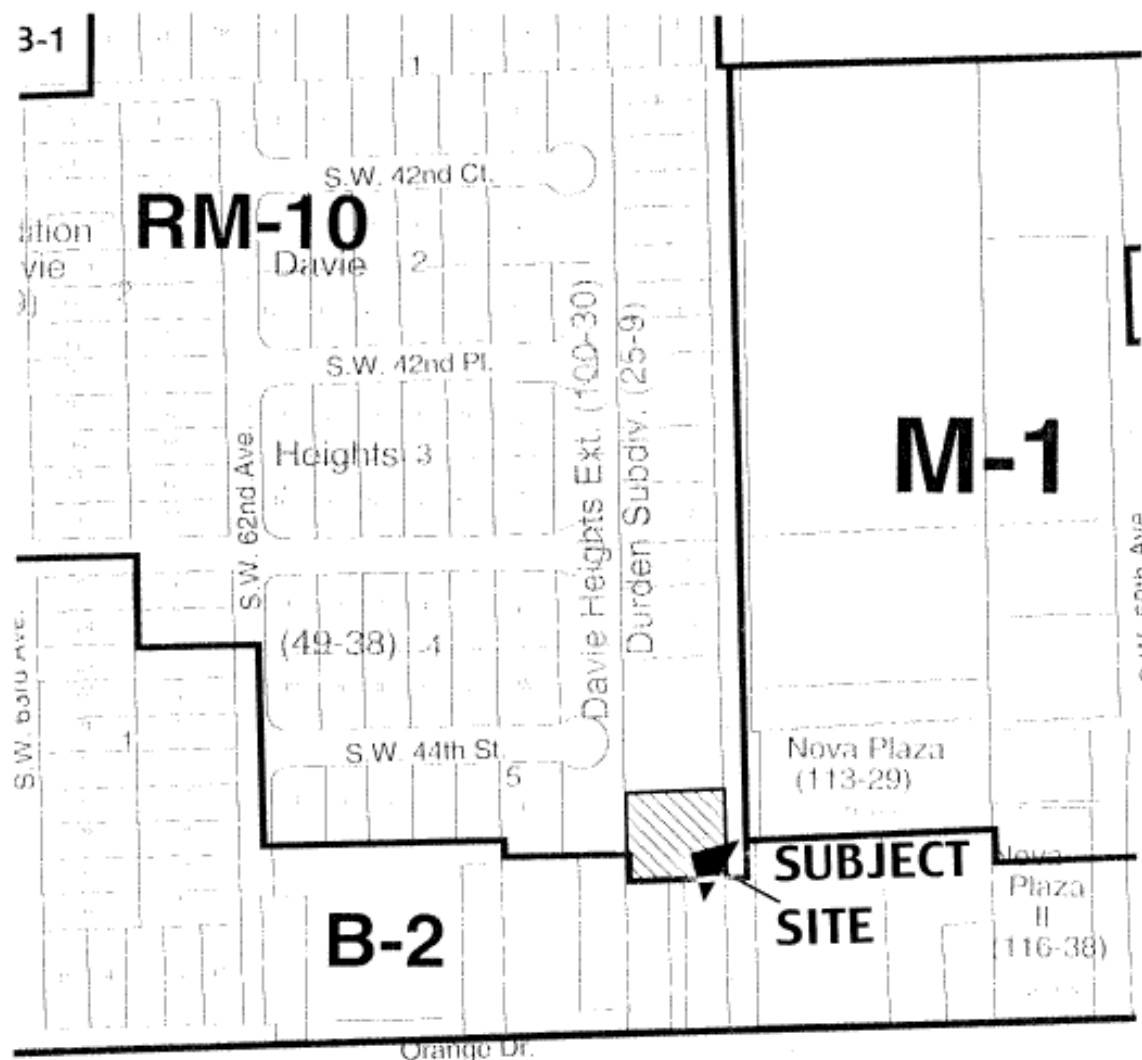
Mark D. Stungs
Mark D. Stungs
Florida Registered Surveyor
& Mapper #1829

Not Valid without the signature and the original raised seal of
a Florida Registered Surveyor & Mapper.

2004-20-00



3-1



SOUTH NEW RIVER CANAL

Griffin Rd.

Griffin Corridor District
(Downtown Zone)

PETITION NUMBER	N
ZB 3-1-01	4
Subject Site Area Zoning Map	
PREPARED 4/2001	Scale 1" = 200'
BY THE PLANNING & ZONING DIVISION	

